

FIRST REGULAR SESSION

[TRULY AGREED TO AND FINALLY PASSED]

# SENATE BILL NO. 5

101ST GENERAL ASSEMBLY  
2021

1041S.01T

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## AN ACT

To repeal section 68.075, RSMo, and to enact in lieu thereof one new section relating to advanced industrial manufacturing zones.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 68.075, RSMo, is repealed and one new  
2 section enacted in lieu thereof, to be known as section 68.075,  
3 to read as follows:

68.075. 1. This section shall be known and may be  
2 cited as the "Advanced Industrial Manufacturing Zones Act".

3 2. As used in this section, the following terms shall  
4 mean:

5 (1) "AIM zone", an area identified through a  
6 resolution passed by the port authority board of  
7 commissioners appointed under section 68.045 that is being  
8 developed or redeveloped for any purpose so long as any  
9 infrastructure and building built or improved is in the  
10 development area. The port authority board of commissioners  
11 shall file an annual report indicating the established AIM  
12 zones with the department of revenue;

13 (2) "County average wage", the average wage in each  
14 county as determined by the Missouri department of economic  
15 development for the most recently completed full calendar  
16 year. However, if the computed county average wage is above  
17 the statewide average wage, the statewide average wage shall

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

18 be deemed the county average wage for such county for the  
19 purpose of determining eligibility;

20 (3) "New job", the number of full-time employees  
21 located at the project facility that exceeds the project  
22 facility base employment less any decrease in the number of  
23 full-time employees at related facilities below the related  
24 facility base employment. No job that was created prior to  
25 the date of the notice of intent shall be deemed a new job.  
26 An employee that spends less than fifty percent of the  
27 employee's work time at the facility is still considered to  
28 be located at a facility if the employee receives his or her  
29 directions and control from that facility, is on the  
30 facility's payroll, one hundred percent of the employee's  
31 income from such employment is Missouri income, and the  
32 employee is paid at or above the county average wage;

33 (4) "Related facility", a facility operated by a  
34 company or a related company prior to the establishment of  
35 the AIM zone in question located within any port district,  
36 as defined under section 68.015, which is directly related  
37 to the operations of the facility within the new AIM zone.

38 3. Any port authority located in this state may  
39 establish an AIM zone. Such zone may only include the area  
40 within the port authority's jurisdiction, ownership, or  
41 control, and may include any such area. The port authority  
42 shall determine the boundaries for each AIM zone, and more  
43 than one AIM zone may exist within the port authority's  
44 jurisdiction or under the port authority's ownership or  
45 control, and may be expanded or contracted by resolution of  
46 the port authority board of commissioners.

47 4. Fifty percent of the state tax withholdings imposed  
48 by sections 143.191 to 143.265 on new jobs within such zone  
49 after development or redevelopment has commenced shall not

50 be remitted to the general revenue fund of the state of  
51 Missouri. Such moneys shall be deposited into the port  
52 authority AIM zone fund established under subsection 5 of  
53 this section for the purpose of continuing to expand,  
54 develop, and redevelop AIM zones identified by the port  
55 authority board of commissioners and may be used for  
56 managerial, engineering, legal, research, promotion,  
57 planning, satisfaction of bonds issued under section 68.040,  
58 and any other expenses.

59 5. There is hereby created in the state treasury the  
60 "Port Authority AIM Zone Fund", which shall consist of money  
61 collected under this section. The state treasurer shall be  
62 custodian of the fund and shall approve disbursements from  
63 the fund in accordance with sections 30.170 and 30.180 to  
64 the port authorities from which the funds were collected,  
65 less the pro-rata portion appropriated by the general  
66 assembly to be used solely for the administration of this  
67 section which shall not exceed ten percent of the total  
68 amount collected within the zones of a port authority.  
69 Notwithstanding the provisions of section 33.080 to the  
70 contrary, any moneys remaining in the fund at the end of the  
71 biennium shall not revert to the credit of the general  
72 revenue fund. The state treasurer shall invest moneys in  
73 the fund in the same manner as other funds are invested.  
74 Any interest and moneys earned on such investments shall be  
75 credited to the fund.

76 6. The port authority shall approve any projects that  
77 begin construction and disperse any money collected under  
78 this section. The port authority shall submit an annual  
79 budget for the funds to the department of economic  
80 development explaining how and when such money will be spent.

81           7. The provision of section 23.253 notwithstanding, no  
82 AIM zone may be established after August 28, **[2023] 2030**.  
83 Any AIM zone created prior to that date shall continue to  
84 exist and be coterminous with the retirement of all debts  
85 incurred under subsection 4 of this section. No debts may  
86 be incurred or reauthorized using AIM zone revenue after  
87 August 28, **[2023] 2030**.

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